



AUSTIN CITY COUNCIL
MINUTES

REGULAR MEETING
THURSDAY, AUGUST 7, 2008

Invocation: Michael L. Jones, Pastor, Pressing Toward the Mark Church of God in Christ

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, August 7, 2008 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:18 a.m.

Announcement of future agenda items from Council:

Council Member Martinez announced he will bring a resolution to ask the City Manager to help draft an ordinance relating to banning texting and cell phone usage while driving except for hands free devices.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Martinez' motion, Council Member Leffingwell's second on a 7-0 vote.

1. Approve the minutes of the Austin City Council Canvassing and Inauguration from June 25, 2008, Work Session from July 23, 2008, and the July 24, 2008 Regular meeting.
The minutes from the June 25, 2008 Canvassing and Inauguration, July 23, 2008 Work Session and the July 24, 2008 Regular meeting were approved.
2. Approve the issuance of a Letter of Intent for a rebate in the amount of \$52,254.72 the Riverside Chevron Station for the installation of a solar photovoltaic system at the project located at 400 S. Congress, Austin, Texas, 78704. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy in the Conservation Rebates and Incentives Fund. Recommended by the Resource Management Commission.
The motion authorizing the issuance of a letter of intent for a rebate was approved.
3. Authorize negotiation and execution of a 20-year power purchase agreement with NACOGDOCHES POWER, LLC c/o BAYCORP HOLDINGS, LTD, Portsmouth, NH, for the purchase of 100 megawatts (MW) of biomass-generated power in an estimated amount of \$115,000,000 per year for a total estimated contract amount not to exceed \$2,300,000,000. Funding will be provided through the Electric Fuel Charge revenue or future Green Choice Charge revenue. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified. Recommended by the Electric Utility Commission.
This item was postponed to August 21, 2008.

Item 4 was pulled for a roll call vote.

5. Approve an ordinance authorizing acceptance of \$127,520 in grant funds from the Texas Department of State Health Services; and amending the Fiscal Year 2007-2008 Community Care Services Department Operating Budget Special Revenue Fund of Ordinance Number 20070910-003 to appropriate \$127,520 for expanding patient services and purchasing related supplies. Funding is available from the Texas Department of State Health Services. The grant period is September 1, 2007 through August 31, 2008. No City match is required.
Ordinance No. 20080807-005 was approved.
6. Authorize the negotiation of a contract for the acquisition of a conservation easement of approximately 770 acres of land located in Hays County, Texas, and fronting on Hwy. 967 from the Dahlstrom Family, et al, in a total amount not to exceed \$1,000,000. Funding is available in 2006 open space bond package, proposition 2.
The motion authorizing the negotiation of a contract was approved.
7. Authorize the negotiation and execution of a contract for the fee simple acquisition of 0.06 acre of land in Travis County, Texas located along R.M. 620, from CTE Partners, Ltd., a Texas limited partnership, by Joseph F. Lucas, its President, in a total amount not to exceed \$240,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility Department.
The motion authorizing the negotiation and execution of a contract was approved.
8. Approve an ordinance correcting Ordinance No. 20080605-010 related to the vacation of a portion of Delcour Drive, to include the reservation of a public utility easement. Recommended by the Zoning and Platting Commission and the Urban Transportation Commission.
Ordinance No. 20080807-008 was approved.
9. Authorize execution of a construction contract with MAC, INC., (MBE/MH 66.01%), Austin, Texas for the Maui Dam Modernization project in an amount not to exceed \$164,200. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department. Lower of two bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) through the achievements of Good Faith Efforts with 0.00% MBE and 4.18% WBE subcontractor participation.
The motion authorizing the execution of a construction contract with MAC, Inc. was approved.
10. Authorize negotiation and execution of Amendment No. 2 to the construction contract service agreement with TEPSCO, L.P., Deer Park, TX, to increase the second 12-month extension option by an amount not to exceed \$4,700,000, for an overall contract amount not to exceed \$22,580,000, for the installation of underground chilled water piping. Funding in the amount of \$4,700,000 is included in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) with 12.04% MBE and 7.38% WBE subcontractor participation to date. Reviewed by the Electric Utility Commission.
The motion authorizing the negotiation and execution of amendment number 2 to the construction contract service agreement with TEPSCO, L.P. was approved.
11. Authorize negotiation and execution of a contract with INSITUFORM, INC., Buda, Texas through the LOCAL GOVERNMENT PURCHASING COOPERATIVE for the repair of leaking underground reinforced concrete pipe (RCP) at Austin-Bergstrom International Airport in an amount not to exceed \$155,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Department of Aviation. Cooperative Purchase thru the LOCAL PURCHASING COOPORATIVE . Institutform, Inc. is

an approved vendor/contractor through the competitive procurement process authorized by Texas Statute, Local Government Code, Title 8, Chapter 271, Subchapter F. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 252.022 of the Texas Local Government Code and no goals were established for this solicitation. Recommended by the Airport Advisory Commission.

The motion authorizing the negotiation and execution of a contract with Insituform, Inc. through the Local Government Purchasing Cooperative was approved.

12. Authorize negotiation and execution of a professional services agreement with HDR ENGINEERING, INC., Austin, TX for design, preliminary engineering and construction phase services for the Mopac Bicycle Bridge project, in an amount not to exceed \$600,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department. Best qualification statement of five received. This contract will be awarded in compliance with Chapter 2-9B of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals of 16.50% MBE and 14.20% WBE subcontractor participation.

The motion authorizing the negotiation and execution of a professional services agreement with HDR Engineering, Inc. was approved.

13. Authorize an amendment to increase the scope of the professional services agreement with ROSARIO MARQUARDT AND ROBERTO BEHAR, to include the electrical design foundation and installation of artwork for the Pfluger Bridge/Gables Residential Art in Public Places Project (AIPP), in an amount not to exceed \$30,000. Funding is available for the electrical design, foundation, and installation for the public art project from Downtown Roadway Improvements AIPP Project.

The motion authorizing an amendment to increase the scope of the professional services agreement with Rosario Marquardt and Roberto Behar was approved.

14. Authorize negotiation and execution of an artwork commission agreement with ROGER COLOMBIK & JEROLYN BAHM-COLOMBIK, PO Box 2308; Wimberley, TX 78676-2308 for a sculpture with water fountain and seating for the Second Street District Streetscape Improvement Project, in an amount not to exceed \$100,000. Funding is available in the 2007-2008 Amended Capital Budget of the Neighborhood Planning and Zoning Department. Recommended by the Art in Public Places Panel; and the Austin Arts Commission.

The motion authorizing the negotiation and execution of an artwork commission agreement with Roger Colombik & Jerolyn Bahm-Colombik was approved.

15. Approve an ordinance authorizing acceptance of \$37,465 grant funds from the TEXAS DEPARTMENT OF STATE HEALTH SERVICES, INFECTIOUS DISEASE INTERVENTION AND CONTROL BRANCH, Austin, TX; and amending the Fiscal Year 2007-2008 Health and Human Services Department Operating Budget Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$37,465 for translation services and expedited laboratory services. Funding is available from the Texas Department of State Health Services, Infectious Disease and Control Branch. The grant period is October 1, 2007 through September 30, 2008. No City match is required.

Ordinance No. 20080807-015 was approved.

16. Authorize payment of the City's annual membership fee in the Austin-San Antonio Intermunicipal Commuter Rail District, in an amount not to exceed \$49,500. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Neighborhood Planning and Zoning Department.

The motion authorizing the payment of the City's annual membership fee in the Austin-San Antonio Intermunicipal Commuter Rail District was approved.

17. Approve an ordinance amending Ordinance No. 20071213-089, to change the incorrect zoning identification caused by a mapping error for property that comprises a portion of Tract 310, located at 153 East Riverside Drive, 201 East Riverside Drive, 203 East Riverside Drive, 205 East Riverside Drive and a legal description known as ABS 8 SUR 20 DECKER I N 10 X 161 FEET, of the South River City Neighborhood Area Vertical Mixed Use (VMU) Opt-in/Opt-out application and described in Zoning Case C14-2007-0224.
Ordinance No. 20080807-017 was approved.
18. Approve an ordinance amending Ordinance No. 20080618-080, to correct a base zoning district for a portion of Tract 10, locally known as 3001-3005 South Lamar Boulevard and 3104 Manchaca Road, as described in zoning case C14-2008-0019.
Ordinance No. 20080807-018 was approved.
19. Approve an ordinance authorizing the waiver and reimbursement of certain fees collected for the extension of Parmer Lane from US 290 to SH 130 at Blue Bluff Road (future Braker Lane) in an amount not exceed \$2,252. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Watershed Protection and Development Review Department.
Ordinance No. 20080807-019 was approved.
20. Authorize the negotiation and execution of a Roadway Improvement Agreement with SP Meadows South, Ltd., in the amount of \$1,475,536 to fund construction of Texas Department of Transportation (TxDOT) roadway improvements along the I-35 southbound frontage road at Southpark Meadows Retail Center south of East Slaughter Lane. Funding will be submitted to the City by SP Meadows South, Ltd. for deposit into escrow. Related to item #21
The motion authorizing the negotiation and execution of a Roadway Improvement Agreement with SP Meadows South, Ltd. was approved.
21. Approve a resolution authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation (TxDOT) in the amount of \$1,360,975.22 to provide funds for construction of roadway improvements along the I-35 southbound frontage road at Southpark Meadows Retail Center south of East Slaughter Lane. Funding will be submitted to the City by SP Meadows South, Ltd. for deposit into escrow pending future payment to TxDOT to initiate this project. Related to item #20
Resolution No. 20080807-021 was approved.
22. Authorize award and execution of 24-month requirements service contracts with CENTRAL TEXAS COMMERCIAL A/C & HEATING, INC., Austin, TX, ENTECH SALES AND SERVICES, INC., Buda, TX, and TAS, Houston, TX for chiller maintenance at the Sand Hill Energy Center in an estimated amount not to exceed \$650,000 each and combined, with two 24-month extension options in an estimated amount not to exceed \$650,000 each and combined per extension option, for a total estimated contract amount not to exceed \$1,950,000 each and combined. Funding in the amount of \$27,084 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 23 months of the original contract period and extension option is contingent upon available funding in future budgets. Best evaluated proposals of three proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing an award and execution requirements service contracts with Central Texas Commercial A/C & Heating, Inc., Entech Sales and Services, Inc. and TAS was approved.

23. Authorize award and execution of a contract with CRAWFORD ELECTRIC, Austin, TX for the purchase of theatrical electrical components for the Long Center exterior expansion in an amount not to exceed \$77,899.28. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **This item was postponed to August 21, 2008.**
24. Authorize award, negotiation, and execution of 24-month requirements service contracts with GEOSPATIAL INNOVATIONS, INC., Austin, TX, and IFACOR CONSULTING INC., Phoenix, AZ, for the purchase of electric utility business and technical consulting services for Austin Energy's specialized software applications and interfaces in an estimated amount not to exceed \$2,000,000 each and combined, with three 12-month extension options in an estimated amount not to exceed \$1,000,000 each and combined, for a total estimated contract amount not to exceed \$5,000,000 each and combined. Funding in the amount of \$83,334 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Best two evaluated proposals of four proposals received. This purchase will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award, negotiation and execution of requirements service contracts with Geospatial Innovations, Inc., and Ifactor Consulting Inc. was approved.**
25. Authorize award, negotiation, and execution of a 12-month requirements service contract with INTELLEX CORPORATION, Houston, TX for the installation and upgrade of controls/automation systems in an estimated amount not to exceed \$375,400, with three 12-month extension options in an estimated amount not to exceed \$375,400 per extension option, for a total estimated contract amount not to exceed \$1,501,600. Funding in the amount of \$375,400 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Funding for the extension options is contingent upon available funding in future budgets. Best evaluated proposal of three proposals received. This contract will be award in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award, negotiation and execution of a requirements service contract with Intellex Corporation was approved.**
26. Authorize award and execution of a 24-month requirements supply contract with STUART C. IRBY CO., Austin, TX for the purchase of streetlight lamps in an estimated amount not to exceed \$242,928, with two 12-month extension options in an estimated amount not to exceed \$121,464 per extension option, for a total estimated contract amount not to exceed \$485,856. Funding in the amount of \$20,244 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the remaining 22 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specifications of nine bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority Owned and Women Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation. **The motion authorizing the award and execution of a requirements supply contract with Stuart C. Irby Co. was approved.**
27. Authorize award and execution of a contract with SOLAR WORLD CALIFORNIA, Camarillo, CA to supply building-mounted solar photovoltaic modules in an amount not to exceed \$187,218.50. Funding is available in the Fiscal Year 2007-2008 Capital Budget for Austin Energy. Lowest bid of three bids

received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Solar World California was approved.

28. Authorize award and execution of a contract with SPECIAL FIRE SYSTEMS, INC., Richardson, TX for the purchase of an audible and visual evacuation alarm system in an amount not to exceed \$72,330. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Sole bid received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a contract with Special Fire Systems, Inc. was approved.
29. Authorize award and execution of a contract with TEGRON LP, Longview, TX for Phase I of the upgrade of a demineralization system in an estimated amount not to exceed \$990,000, with the option to complete Phases II and III in an estimated amount not to exceed \$1,000,000 and \$657,508 respectively, for a total estimated contract amount not to exceed \$2,647,508. Funding in the amount of \$990,000 is available in the Fiscal Year 2007-2008 Capital Budget of Austin Energy. Funding for the remaining phases of the original contract is contingent upon available funding in future budgets. Best evaluated proposal of two proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a contract with Tegron LP was approved.
30. Authorize award and execution of two contracts, one with TSE INTERNATIONAL, INC., Shreveport, LA for the purchase of one trailer-mounted underground cable puller in an amount not to exceed \$97,365, and with APFELBAUM INDUSTRIAL, INC., El Paso, TX for the purchase of two cable reel trailers in an amount not to exceed \$37,950. Funding in the amount of \$135,315 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy. Lowest bid meeting specifications of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of two contracts with TSE International, Inc., and Apfelbaum Industrial, Inc. was approved.
31. Authorize award and execution of two 24-month requirements supply contracts for the purchase of ductile iron fittings and pipe joint restraints of various sizes for the Austin Water Utility with: ACT PIPE & SUPPLY, Pflugerville, TX, in an estimated amount not to exceed \$326,457, with two 12-month extension options in an estimated amount not to exceed \$204,036 per extension option, for a total estimated contract amount not to exceed \$734,529, and with TECHLINE PIPE LP, Austin, TX, in an estimated amount not to exceed \$293,274, with two 12-month extension options in an estimated amount not to exceed \$183,296 per extension option, for a total estimated contract amount not to exceed \$659,866. Funding in the amount of \$25,292 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest two bids of three bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution of two requirements supply contracts with Act Pipe & Supply and Techline Pipe LP was approved.

32. Authorize award and execution of two contracts with: HILL COUNTRY FENCE, INC., Spicewood, TX, in an amount not to exceed \$120,323.75, and BPI ENVIRONMENTAL SERVICES, INC., Lakeway, TX, in an amount not to exceed \$58,657.50, for the purchase and installation of fencing within the Balcones Canyonlands Preserve for the Austin Water Utility. Funding is available in the Fiscal Year 2007-2008 Wildland Conservation Fund of the Austin Water Utility. Lowest two bids of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting Opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
- The motion authorizing the award and execution of two contracts with Hill Country Fence, Inc. and BPI Environmental Services, Inc. was approved.**
33. Authorize award and execution of three 24-month requirements supply contracts for the purchase of gate valves of various types and sizes for the Austin Water Utility with: MUNICIPAL WATER WORKS, Royce City, TX, in an estimated amount not to exceed \$273,687, with two 12-month extension options in an estimated amount not to exceed \$171,054 per extension option, for a total estimated contract amount not to exceed \$615,795; with ACT PIPE & SUPPLY, Pflugerville, TX, in an estimated amount not to exceed \$94,541, with two 12-month extension options in an estimated amount not to exceed \$59,088 per extension option, for a total estimated contract amount not to exceed \$212,717; and with TECHLINE PIPE LP, Austin, TX, in an estimated amount not to exceed \$75,839, with two 12-month extension options in an estimated amount not to exceed \$47,400 per extension option, for a total estimated contract amount not to exceed \$170,639. Funding in the amount of \$18,503 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest three bids meeting specifications of eight bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
- The motion authorizing the award and execution of three requirements supply contracts with Municipal Water Works, Act Pipe & Supply, and Techline Pipe LP was approved.**
34. Authorize award and execution of two 24-month requirements supply contracts for the purchase of 24" and 32" manhole cover casting sets for the Austin Water Utility with: TECHLINE PIPE LP, Austin, TX, in an estimated amount not to exceed \$213,352, with two 12-month extension options in an estimated amount not to exceed \$133,345 per extension option, for a total estimated contract amount not to exceed \$480,042; and with ACT PIPE & SUPPLY, Pflugerville, TX, in an estimated amount not to exceed \$33,942, with two 12-month extension options in an estimated amount not to exceed \$21,214 per extension option, for a total estimated contract amount not to exceed \$76,370. Funding in the amount of \$10,304 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining twenty-three months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest two bids of five bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore no goals were established for this solicitation. Recommended by the Water and Wastewater Commission.
- The motion authorizing the award and execution of two requirements supply contracts with Techline Pipe LP and Act Pipe & Supply was approved.**

35. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with GRAINGER INDUSTRIAL SUPPLY, Austin, TX for the purchase of electrical distribution boxes for the Austin Convention Center in an amount not to exceed \$192,948.82. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Convention Center Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority - Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code. No subcontracting opportunities were identified; therefore, no goals were established.
The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Grainger Industrial Supply was approved.
36. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with MITY-LITE, INC., Orem, UT for the purchase of table skirting and a laminated dance floor for the Austin Convention Center Department in an amount not to exceed \$137,993.86. Funding is available in the Fiscal Year 2007-2008 Operating Budget for the Austin Convention Center Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority - Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established.
The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule with Mity-Lite, Inc. was approved.
37. Authorize award and execution of a contract through the TEXAS MULTIPLE AWARD SCHEDULE (TXMAS) with VIRCO INC., Conway, AZ, for the purchase of stage equipment including folding stairs, stages and stage skirting for the Austin Convention Center in an amount not to exceed \$140,464.35. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Convention Center Department. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority - Owned and Woman Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation.
The motion authorizing the award and execution of a contract through the Texas Multiple Award Schedule (TXMAS) with Virco Inc. was approved.
38. Authorize award and execution of a 36-month requirements supply contract with MCCOY'S BUILDING SUPPLY, Austin, Texas for masonry and ready-mix cement supplies in an estimated amount not to exceed \$182,434, with three 12-month extension options in an estimated amount not to exceed \$60,812 per extension option, for a total estimated contract amount not to exceed \$364,870. Funding in the amount of \$10,136 is available in the Fiscal Year 2007-2008 Operating Budget for various City Departments. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements supply contract with McCoy's Building Supply was approved.
39. Authorize award and execution of three contracts with: FREIGHTLINER OF AUSTIN, Austin, TX for the purchase of two 55 foot overcenter Altec model AM-55 aerial devices, chassis and line bodies and two 65 foot overcenter Altec model AM-65 aerial devices, chassis and line bodies in an amount not to exceed \$809,882; STERLING WESTERN STAR OF AUSTIN, Austin, TX for the purchase of one combination articulating/telescopic Altec model AT-35G aerial device, chassis, and body in an amount not to exceed \$83,721; GRANDE TRUCK CENTER, San Antonio, TX for the purchase of one 45 foot

Terex Telelect model XL-4045 sheive height derrick, chassis, and body in an amount not to exceed \$144,616. Funding in the amount of \$1,038,219 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Lowest bid meeting specifications of four bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of three contracts with Freightliner of Austin, Sterling Western Star of Austin and Grande Truck Center was approved.

40. Approve ratification of Amendment No. 5 to increase the contract amount with Longhorn International Trucks, LTD, Austin, TX, in an amount of \$69,228.89 for a revised total contract amount not to exceed \$919,228.89; and Amendment No. 7 to increase the contract amount with Freightliner of Austin, Austin, TX, in an amount of \$39,720.02 for a revised total contract amount not to exceed \$897,220.02, for the purchase of original equipment manufacturer parts and services for medium and heavy duty diesel engines and transmissions. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department, Fleet Services. June 10, 2004, approved original 12 month contract with three extension options. This contract was awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion for ratification of amendment number 5 with Longhorn International Trucks, Ltd and amendment number 7 with Freightliner of Austin was approved.
41. Authorize award and execution of a 24-month requirements service contract with AUS-TEX PRINTING & MAILING, Austin, TX for printing services for the Human Resources Department in an estimated amount not to exceed \$150,212, with two 12-month extension options in an estimated amount not to exceed \$75,106 per extension option, for a total estimated contract amount not to exceed \$300,424. Funding in the amount of \$6,259 is available in the Fiscal Year 2007-2008 Operating Budget of the Employee Benefits Fund of the Human Resources Department. Funding for the remaining 23 months of the original contract period and extension options is contingent upon available funding in future budgets. Best evaluated bid of five bids received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award and execution of a requirements service contract with Aus-Tex Printing & Mailing was approved.
42. Authorize award, negotiation and execution of a contract with BBC RESEARCH & CONSULTING, Denver, CO for a comprehensive housing market study in an amount not to exceed \$142,435. Funding is available in the Fiscal Year 2007-2008 Capital Budget of Neighborhood Housing and Community Development Department. Best evaluated proposal of six proposals received. This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award, negotiation and execution of a contract with BBC Research & Consulting was approved.
43. Authorize award and execution of a 36-month requirements supply contract with ARCH CHEMICALS, Smyrna, GA for the purchase of calcium hypochlorite in an estimated amount not to exceed \$286,800, with three 12-month extension options in an estimated amount not to exceed \$96,500 per extension option, for a total estimated contract amount not to exceed \$576,300. Funding in the amount of \$8,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Parks and Recreation Department. Funding for the remaining thirty-five months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will

be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No Subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Arch Chemicals was approved.

44. Authorize award and execution of a contract with APPLIED BIOSYSTEMS, Foster City, CA, for the purchase of a genetic analyzer for the Austin Police Department in an amount not to exceed \$75,923. Funding in the amount of \$75,923 is available in the Austin Police Special Revenue Fund, 2007 NIJ Capacity Enhancement/Backlog Reduction Grant-2007-DN-BX-K107. Sole Source. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a contract with Applied Biosystems was approved.

45. Authorize award and execution of a 36-month requirements supply contract with ALLIED TUBE & CONDUIT CORP., Harvey, IL for the purchase of square steel posts, anchors, and fasteners in an estimated amount not to exceed \$1,376,480, with four 12-month extension options in estimated amounts not to exceed \$620,545.06 for the first extension option, \$713,627 for the second extension option, \$856,352 for the third extension option for a total estimated contract amount not to exceed \$3,567,004. Funding in the amount of \$76,471 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department. Funding for the remaining 34 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.

The motion authorizing the award and execution of a requirements supply contract with Allied Tube & Conduit Corp.

46. Authorize negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) for a volumetric survey of Lake Austin, in an amount not to exceed \$20,628. Funding is included in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection & Development Review Department.

The motion authorizing the negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) was approved.

47. Authorize negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) for a volumetric survey of Lady Bird Lake, in an amount not to exceed \$19,981. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.

The motion authorizing the negotiation and execution of an Interlocal Cooperation Agreement with the Texas Water Development Board (TWDB) was approved.

48. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

Board

Asian American Resource Center Advisory Board
Cameron Graber

Austin Mayor's Committee for People with Disabilities
Jesus Lardizabal

Building and Fire Code Board of Appeals
Scott Stookey
James Sullivan

Commission for Women
Molly Barker
Darlene Lanham
Sarah Wheat

Design Commission
Joan Hyde
Eleanor McKinney

Downtown Austin Community Court Advisory Committee
Charles Locklin
Chip McCormick

Downtown Commission
Susan Daniels

	<u>Representing</u>
Daniel Leary	Historic Landmark Commission
Richard Weiss	Design Commission representative
Bruce Willenzik	Arts Commission representative

Electric Utility Commission
Phillip Schmandt
Linda Shaw
Steven Taylor

Historic Landmark Commission
Patti Hansen

Human Rights Commission
Elizabeth Brenner

Impact Fee Advisory Committee
Daniel Buda
J. R. Hank Kidwell

Nominated By:

Council Member Leffingwell

Council Member Leffingwell

Council Member Shade
Council Member Martinez

Council Member Morrison
Mayor Wynn
Mayor Pro Tem McCracken

Mayor Pro Tem McCracken
Council Member Leffingwell

Council Member Shade
Council Member Leffingwell

Mayor Pro Tem McCracken

Council Member Leffingwell
Mayor Wynn
Council Member Leffingwell

Mayor Wynn
Council Member Morrison
Council Member Shade

Council Member Shade

Council Member Shade

Council Member Martinez
Council Member Leffingwell

Library Commission

Karen Pavelka

Council Member Leffingwell

MBE/WBE and Small Business Enterprise Procurement Program Advisory Committee

Laura Stromberg

Mayor Wynn

Renaissance Market Commission

Laura Wisdom

Council Member Leffingwell

Robert Mueller Municipal Airport Plan Implementation Advisory Commission

Celia Israel

Council Member Leffingwell

Travis Central Appraisal District Board of Directors

Blanca Zamora-Garcia

Mayor Wynn

Urban Renewal Agency

Daffney Henry

Mayor Wynn

Urban Transportation Commission

Sara Krause

Mayor Wynn

Brian Thompson

Council Member Morrison

Waller Creek Citizen Advisory Committee

Shea Cline

Recommended by the Hotel & Lodging Assoc. Mayor Wynn

49. Approve a resolution directing the City Manager to study existing processes to determine where in the development process the City can obtain information relative to crane safety and inspection, and return to Council with a plan for implementation by August 28, 2008; and directing the City Manager to study best practices nationwide regarding crane safety, inspections and operator certification, including the new OSHA guidelines set for release for public comment in August 2008, and make a recommendation for Council action by October 2, 2008. (Council Member Mike Martinez Council Member Lee Leffingwell)
Resolution No. 20080807-049 was approved.
50. Approve a resolution expressing support for the passage of the United States National Health Insurance Act (H.R.676), which would establish a single payer universal health plan, and calling upon Congress to promptly enact the legislation. (Council Member Lee Leffingwell Council Member Mike Martinez Council Member Randi Shade)
Resolution No. 20080807-050 was approved. Mayor Pro Tem McCracken abstained.
51. Approve a resolution directing the City Manager to waive Barton Springs Pool admission fees for August 8, 2008; and declare August 8, 2008 as "Barton Springs and Edwards Aquifer Day" in Austin. (Council Member Laura Morrison Council Member Lee Leffingwell Council Member Sheryl Cole)
Resolution No. 20080807-051 was approved.

Item 52 was pulled for discussion.

53. Set a public hearing to receive public comment on the proposed rate and fee changes for the Solid Waste Services Department as part of the Fiscal Year 2008-2009 Proposed Budget. (Suggested date and time: August 28, 2008, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set for August 28, 2008 at 6:00 p.m. at Austin City Hall at 301 W. Second Street, Austin, TX.

Item 54 was pulled for a roll call vote.

55. Set a public hearing to consider an amendment to Chapter 25-2 to create a North Burnet/Gateway (NBG) zoning district, repeal previous interim regulations, and amend Subchapter E: Design Standards & Mixed Use to exempt the NBG zoning district. (Suggested date and time: October 9, 2008, 4:00 p.m. at Austin City Hall, 301 W. Second Street.)
The public hearing was set for October 9, 2008 at 4:00 p.m., Austin City Hall at 301 W. Second Street, Austin, Texas.
56. Set a public hearing to consider an ordinance amending City Code Sections 25-1-83 and 30-1-114 regarding applications for development over a closed municipal solid waste landfill.(Suggested date and time: August 21, 2008, 6:00 p.m. at Austin City Hall, 301 W. Second Street, Austin, TX.) Recommended by the Environmental Board; and, the Code and Ordinance Subcommittee of the Planning Commission. To be reviewed by the Planning Commission on August 12, 2008.
The public hearing was set for August 21, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.
57. Set a public hearing to consider an ordinance regarding floodplain variances requested by Mr. and Mrs. Roel Martinez to allow construction of a single-family residence at 7406 Latta Drive in the 25-year and the 100-year floodplain of Williamson Creek and limiting the requirement to dedicate a drainage easement to the limits of the 100-year floodplain by excluding the footprint of the residence from the easement dedication requirement. (Suggested date and time: August 21, 2008, 6:00 p.m., at Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set for August 21, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, TX.
58. Set a public hearing to receive public comment on the proposed rate and fee changes for the Austin Water Utility as part of the Fiscal Year 2008-2009 Proposed Budget. (Suggested date and time: August 28, 2008, 6:00 pm at Austin City Hall, 301 W. Second Street, Austin, Texas) No fiscal impact.
The public hearing was set for August 28, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, Texas.

Item 59 was a briefing item set for 10:30 a.m.

Items 60 through 62 were Executive Session items.

Item 63 was a briefing item set for 2:00 p.m.

Items 64 through 89 were zoning items set for 4:00 p.m.

Items 90 through 93 were public hearing items set for 6:00 p.m.

Discussion Items

4. Approve a resolution adopting a maximum proposed property (ad valorem) tax rate of \$0.4012 cents per \$100 taxable value that the City Council will consider for Fiscal Year 2008-2009; and setting the date that the Council will adopt the Fiscal Year 2008-2009 property (ad valorem) tax rate (suggested dates are Monday, September 8, 2008, Tuesday, September 9, 2008, or Wednesday, September 10, 2008). (Related to item #54)

Resolution No. 20080807-004 which adopts a maximum property tax rate the City Council will consider for Fiscal Year 2008-2009 of \$0.4012 cents per \$100.00 valuation was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote.

The public hearings were set for September 8, 9, and 10, 2008 at 10:00 a.m., Austin City Council Chambers, Austin City Hall at 301 West 2nd Street, Austin, Texas 78701 on Council Member Shade's motion, Council Member Martinez' second on a 7-0 vote.

54. Set a public hearing on the proposed property (ad valorem) tax rate for Fiscal Year 2008-2009 (Suggested dates and times: August 21, 2008, 6:00 p.m. and August 28, 2008, 6:00 pm, at Austin City Hall, 301 W. Second Street, Austin, Texas). (Related to item #4)

The public hearings were set for August 21 and 28, 2008 at 6:00 p.m., Austin City Hall at 301 W. Second Street, Austin, Texas on Council Member Morrison's motion, Council Member Shade's second on a 7-0 vote.

DISCUSSION ITEM

52. Approve waiver of the requirement for signatures by affected persons under Chapter 14-8 of the City Code for street closure associated with the Bat Fest Event to be held on August 30-31, 2008, in both the 100 and 200 block of South Congress on the Ann W. Richards Congress Avenue Bridge. (Council Member Sheryl Cole Council Member Laura Morrison and Mayor Pro Tem Brewster McCracken)

This item was postponed to August 21, 2008 on Council Member Martinez' motion, Council Member Cole's second on a 7-0 vote. Staff was directed to bring the second phase of the permitting process to Council at the next meeting, inform the University of Texas of this event that will block the bridge and provide maps to the hotels so those customers headed to the UT game are advised of an alternative route. Staff was directed to work with Gege Cordeiro (Your Living Room) and French Smith (Bat Fest) to mitigate business impact due to request for closure of Ann Richards Congress Avenue Bridge for Bat Fest.

BRIEFING

59. Presentation of the Design Commission's recommended revisions to the Downtown Design Guidelines. The presentation was made by Erica Leak, Neighborhood Planning and Zoning Department, and Richard Weiss of the Downtown Commission.

Mayor Wynn recessed the Council Meeting at 11:53 a.m.

Mayor Wynn called the Council Meeting back to order at 12:03 p.m.

CITIZEN COMMUNICATIONS: GENERAL

Patty Sprinkle -- Neighborhood issues

Pat Valls-Trelles -- Animal Issues

Anthony Walker -- City Council Performance and residents at 8000 Decker Lane

Paul Robbins -- City Issues

David Colbert -- Putting precise ordinances to a public vote/ Affordable Housing

Janet Jones -- Discuss Police Chief Proposal to forcibly take blood after breathalyzer is refused

Danette Chimenti -- Historic Preservation

Karen McGraw -- Historic Preservation. **The City Manager was directed to work with staff to provide information to the Council on how to use information from past initiatives to create a policy related to preservation and to look at alternative funding sources.**

Judith Grimes -- I have a protest letter to bring on the East Oak Hill Neighborhood Plan. **She was not present when her name was called.**

Gavino Fernandez, Jr. -- 18 wheelers on Cesar Chavez Street. No thru trucks, lack of A.P.D. enforcement. If they are not going to be enforced, Please remove Sign, (no thru trucks) Our children who visit Terrazas Library from the North of Cesar Chavez are at RISK. **Staff was directed to follow-up with Mr. Fernandez on the referenced issues.**

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:50 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

60. Discuss matters concerning Austin Energy fuel and generation resource plans (Public Power Utility Competitive Matter - Section 551.086).
61. Discuss legal issues relating to the labor negotiations for Fire, Police, EMS, and PSEM departments. (Private Consultation with Attorney - Section 551.071).
62. Discuss legal issues related to proposed Minority/Women-owned Business Enterprise Ordinance changes incorporating the results of the study relating to the status of Austin-area M/WBEs for construction and construction-related professional services (Private Consultation with Attorney - Section 551.071).

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 3:15 p.m.

BRIEFING

63. Presentation of the Fiscal Year 2008-2009 Proposed Budget for the Enterprise Departments, including Aviation, Austin Water Utility, Austin Convention Center, Solid Waste Services, and the Austin Convention and Visitors Bureau.

The presentation was made by Leslie Browder, Chief Financial Officer; Robert Goode, Assistant City Manager; Rudy Garza, Assistant City Manager; and Bob Lander, Roy Benear, and Jennifer Walker of the Austin Convention and Visitors Bureau.

Mayor Wynn recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 4:32 p.m. See separate minutes.

Mayor Wynn called the Council Meeting back to order at 4:34 p.m.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote.

65. C14-2008-0089 - Euers Office/Retail Building - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 135 West Slaughter Lane (Onion Creek Watershed) from rural residence (RR) district zoning and single-family residence-standard lot (SF-2) district zoning to community commercial (GR) district zoning. Staff Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning with conditions. Applicant: Lester Euers. Agent: The Brown Group (Marty Brown). City Staff: Wendy Rhoades, 974-7719.
This item was postponed to October 23, 2008 at the applicant's request.
66. C14-2008-0020 - Sundberg Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning property locally known as 8219 Burleson Road (Onion Creek Watershed) from interim-rural residence (I-RR) district zoning to limited industrial service-conditional overlay (LI-CO) combining district zoning for Tract 1; and general commercial services-mixed use (CS-MU) combining district zoning with conditions for Tract 2. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning for Tract 1; and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 2 with conditions. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning for Tract 1, and general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning for Tract 2 with conditions. Applicants: Joan Elaine Frensley Smith; Frances E and Robert W. Bauman; Sundberg Farm Limited Partnership (Jean and Marvin Chernosky); Sundberg C&C Partners, Ltd. (Camille C. Mealy); Ralph & Olga Schneider Family Partnership (Elaine Schnieder and John P. Schneider, M.D.); and Robert Carl Wolter. Agent: Bury & Partners (Melissa Matthiesen). City Staff: Wendy Rhoades, 974-7719.
This item was postponed to August 21, 2008 at the applicant's request.
67. C14-2008-0095 - Jekel Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12214 Jekel Circle (Rattan Creek Watershed) from family residence (SF-3) district zoning to limited industrial service-conditional overlay (LI-CO) combining district zoning. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district

zoning. Applicant: BMW of Austin (Steve Late). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20080807-067 for limited industrial service-conditional overlay (LI-CO) combining district zoning was approved.

68. C14-2008-0098 - 12205 Pecan Street Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 12205 Pecan Street (Rattan Creek Watershed) from family residence (SF-3) district zoning to limited industrial service-conditional overlay (LI-CO) combining district zoning. Staff Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant limited industrial service-conditional overlay (LI-CO) combining district zoning. Applicant: Etienna E. Widmer, BMW of Austin (Steve Late). Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.
Ordinance No. 20080807-068 for limited industrial service-conditional overlay (LI-CO) combining district zoning was approved.
69. C14-2008-0121 - Energy Control Center Redevelopment - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 301 West Avenue (Shoal Creek Watershed) from public (P) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning. Applicant: City of Austin - Austin Energy (Judy Fowler). Agent: City of Austin - Economic Growth and Redevelopment Services (Greg Kiloh). City Staff: Clark Patterson, 974-7691.
Ordinance No. 20080807-069 for central business district-central urban redevelopment (CBD-CURE) combining district zoning was approved.
70. C14-2008-0122 - Green Water Treatment Plant Redevelopment - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 600 West Cesar Chavez Street (Town Lake/Shoal Creek Watershed) from public (P) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning. Planning Commission Recommendation: To grant central business district-central urban redevelopment (CBD-CURE) combining district zoning. Applicant: City of Austin - Real Estate Services (Lauraine Rizer). Agent: City of Austin - Economic Growth and Redevelopment Services (Greg Kiloh). City Staff: Clark Patterson, 974-7691.
Ordinance No. 20080807-070 for central business district-central urban redevelopment (CBD-CURE) combining district zoning was approved.
71. C14-2008-0100 - South Congress Storage Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 8008 South Congress Avenue (South Boggy Creek Watershed) from development reserve (DR) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning. Applicant: Mark S. Yandow. Agent: Bryan Webb. City Staff: Wendy Rhoades, 974-7719.
This item was postponed to August 21, 2008 at the applicant's request.
72. C14-2008-0115 - William Cannon - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 4808 West William Cannon Drive (Williamson Creek Watershed - Barton Springs Zone) from single-family residence-standard lot

(SF-2) district zoning to neighborhood commercial-mixed use (LR-MU) combining district zoning. Staff Recommendation: To deny neighborhood commercial-mixed use (LR-MU) combining district zoning. Planning Commission Recommendation: To be reviewed on August 12, 2008. Applicant: Marcus Whitfield & Eskew Place, Ltd. (Gail and Marcus Whitfield). Agent: McClean & Howard, L.L.P. (Jeffrey Howard). City Staff: Wendy Rhoades, 974-7719.

This item was postponed to August 21, 2008 at the staff's request.

73. C14-2008-0052- TJG - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 9609 Swanson's Ranch Road (Slaughter Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to general commercial services (CS) district zoning. Staff Recommendation: To deny general commercial services (CS) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on August 19, 2008. Applicant: T.J. Greaney. Agent: Jim Bennett Consulting (Jim Bennett). City Staff: Wendy Rhoades, 974-7719. A valid petition has been filed in opposition to this rezoning request.
This item was postponed to August 21, 2008 at the staff's request.

80. NPA-2008-0023.01 - Windsor Park Development - Conduct a public hearing and approve an ordinance amending Ordinance No. 20070809-055, the University Hills/Windsor Park Neighborhood Plan, an element of the Comprehensive Plan, to change the land use designation of 5908 Manor Road from high density single-family residential to mixed use. Staff Recommendation: To deny mixed use for Tract 1 and to grant mixed use for Tracts 2 and 3. Planning Commission Recommendation: To grant mixed use. Applicant: Community Partnership for the Homeless (Frank Fernandez). Agent: Arthur Sampson. City Staff: Paul DiGiuseppe, 974-2865.

This item was postponed to September 25, 2008 at the applicant's and neighborhood's request.

81. C14-2008-0057.SH - Windsor Park Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5908 Manor Road (Boggy Creek Watershed) from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning for Tracts 1 and 3, and neighborhood commercial-neighborhood plan (LR-NP) combining district zoning for Tract 2. Staff Recommendation: To grant townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning for Tract 1, and neighborhood commercial-mixed use-conditional overlay-neighborhood plan (LR-MU-CO-NP) combining district zoning for Tracts 2 and 3. Planning Commission Recommendation: To grant multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning for Tracts 1 and 3, and neighborhood commercial-neighborhood plan (LR-NP) combining district zoning for Tract 2. Applicant: Community Partnership for the Homeless (Frank Fernandez). Agent: Arthur Sampson. City Staff: Joi Harden, 974-2122. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to September 25, 2008 at the applicant's and neighborhood's request.

82. NPA-2007-0012.02 - 1600 Block of East MLK (1600, 1602, 1604, and 1606 E. Martin Luther King Jr. Blvd.) - Conduct a public hearing and approve an ordinance amending Ordinance No. 020801-91, the Upper Boggy Creek Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from single family to mixed use for the properties located at 1600, 1602, 1604, and 1606 E. Martin Luther King, Jr. Blvd. (Boggy Creek Watershed). Staff Recommendation: To grant neighborhood mixed use. Planning Commission Recommendation: To grant neighborhood mixed use. Applicant: E-MLK Properties LLC. Agent: Ryan Diepenbrock, PSW Real Estate. City Staff: Kathleen Fox, 974-7877

This item was postponed to August 21, 2008 at the applicant's request.

83. C14-2008-0099 - 1600 Block of East MLK - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1600, 1602, 1604 and 1606 E. Martin Luther King Jr. Boulevard (Upper Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant neighborhood commercial-mixed use-vertical mixed use building-conditional overlay- neighborhood plan (LR-V-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To grant neighborhood commercial-mixed use-vertical mixed use building-conditional overlay- neighborhood plan (LR-V-MU-CO-NP) combining district zoning. Applicant: E-MLK Properties, L.L.C.. Agent: Ryan Diepenbrock, PSW Real Estate. City Staff: Robert Heil, 974-2330.

This item was postponed to August 21, 2008 at the applicant's request.

84. C14-2007-0259 - Govalle-Johnston Terrace Combined Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to certain tracts within the Govalle-Johnston Terrace Combined Neighborhood Planning Area, bounded by the Austin and Northwestern Railroad on the north, U.S. 183 on the east, the Colorado River on the south, and Pleasant Valley Road and Webberville Road on the west (East Boggy Creek, Colorado River, Fort Branch and Tannehill Branch watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude properties within the Govalle-Johnston Terrace Combined Neighborhood Planning Area from the overlay district. Planning Commission Recommendation: To grant vertical mixed use building (V) district and to exclude certain tracts from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Melissa Laursen, 974-7226.

This item was postponed to August 21, 2008 at the staff's request.

87. C14-2008-0125 - West Oak Hill Combined Neighborhood Planning Area Rezonings - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property bounded by Southwest Parkway to the north, West William Cannon Drive to the east, F.M. 1826, Davis Lane, Clairmont Drive, Abilene Trail, and Convict Hill Road to the south, and Thomas Springs Road, Circle Drive and West View Road to the west (6,155.03 acres). The proposed zoning change will create the West Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 70 tracts (555.69 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood

Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. Staff Recommendation: To approve zonings and rezonings that implement the land use recommendations of the West Oak Hill Neighborhood Plan on 20 tracts of land (140.11 acres), with conditions. Planning Commission Recommendation: To approve zonings and rezonings that implement the land use recommendations of the West Oak Hill Neighborhood Plan with conditions. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Maureen Meredith, Neighborhood Planning & Zoning Department, 974-2695; Minal Bhakta, Neighborhood Planning & Zoning Department; 974-6453 and Gregory Montes, Neighborhood Planning & Zoning Department, 974-2629.

This item was postponed to August 21, 2008 at the staff's request.

88. C14-2008-0129 - East Oak Hill Combined Neighborhood Planning Area Rezoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by zoning and rezoning property bounded by Southwest Parkway to the north, the Barton Creek Greenbelt to the northeast, Convict Hill Road and Loop 1 to the south, and West William Cannon Drive and Beckett Road to the west (4,968.06 acres). The proposed zoning change will create the East Oak Hill Neighborhood Plan Combining District (NPCD) and implement the land use recommendations of the Oak Hill Combined Neighborhood Plan for a total of 70 tracts (555.69 acres). The City Council may approve a zoning change to any of the following districts: Rural Residence (RR); Single-Family Residence - Large Lot (SF-1); Single-Family Residence-Standard Lot (SF-2); Family Residence (SF-3); Single-Family - Small Lot & Condominium Site (SF-4A/B); Urban Family Residence (SF-5); Townhouse & Condominium Residence (SF-6); Multi-Family Residence - Limited Density (MF-1); Multi-Family Residence - Low Density (MF-2); Multi-Family Residence - Medium Density (MF-3); Multi-Family Residence - Moderate-High Density (MF-4); Multi-Family Residence - High Density (MF-5); Multi-Family Residence - Highest Density (MF-6); Mobile Home Residence (MH); Neighborhood Office (NO); Limited Office (LO); General Office (GO); Commercial Recreation (CR); Neighborhood Commercial (LR); Community Commercial (GR); Warehouse / Limited Office (W/LO); General Commercial Services (CS); Commercial-Liquor Sales (CS-1); Commercial Highway (CH); Industrial Park (IP); Major Industrial (MI); Limited Industrial Services (LI); Research and Development (R&D); Development Reserve (DR); Agricultural (AG); Planned Unit Development (PUD); Historic (H); and Public (P). A Conditional Overlay (CO), Planned Development Area Overlay (PDA), Vertical Mixed Use Building (V); Mixed Use Combining District Overlay (MU); Neighborhood Conservation Combining District (NCCD); or Neighborhood Plan Combining District (NP) may also be added to these zoning base districts. Staff Recommendation: To approve zonings and rezonings that implement the land use recommendations of the East Oak Hill Neighborhood Plan on 50 tracts of land (415.58 acres), with conditions. Planning Commission Recommendation: To approve zonings and rezonings that implement the land use recommendations of the East Oak Hill Neighborhood Plan with conditions. Applicant and Agent: City of Austin, Neighborhood Planning and Zoning Department. City Staff: Maureen Meredith, Neighborhood Planning & Zoning Department, 974-2695; Minal Bhakta, Neighborhood Planning & Zoning Department; 974-6453 and Gregory Montes, Neighborhood Planning & Zoning Department, 974-2629.

This item was postponed to August 21, 2008 at the staff's request.

89. C14-2008-0044.001 - Windsor Park Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations 5701 Cameron Road and 1200 Ridgehaven Drive within the Windsor Park Neighborhood Planning Area (Tannehill Branch; Fort Branch Watersheds) from limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning to limited office-mixed use-vertical mixed use building-neighborhood plan (LO-MU-V-NP) combining district zoning. Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin

City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude 5701 Cameron Road and 1200 Ridgehaven Drive from the overlay district. Planning Commission Recommendation: To be reviewed on August 12, 2008. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Minal Bhakta, 974-6453.

This item was postponed to August 21, 2008 at the staff's request.

ZONING DISCUSSION ITEMS

74. NPA-2008-0001.02 - Fort Magruder - Conduct a public hearing and approve an ordinance amending Ordinance No. 980827-B, the Dawson Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation from single-family to mixed use on the future land use map (FLUM) for the properties located at 3900 Wadford Street and 3907-B Reyna Street. Staff Recommendation: To grant mixed use designation for 3907-B Reyna Street only. Planning Commission Recommendation: To grant mixed use designation for 3900 Wadford Street and 3907-B Reyna Street. Applicant: Agent: City of Austin. City Staff: Andrew Holubeck, 974-2054.

The public hearing was closed and Ordinance No. 20080807-074 to change the land use designation to mixed use designation for 3907-B Reyna Street and 3900 Wadford was approved with the following friendly amendment on Council Member Martinez' motion, Mayor Wynn's second on a 7-0 vote. The friendly amendment from Council Member Morrison was to change the land use designation on 3907-B Reyna only. This was accepted by the maker of the motion and Mayor Wynn, who seconded the motion.

75. C14-2007-0048 - Fort Magruder 1 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3811 Wadford Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: Sonja Hunter. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.

The public hearing was closed and Ordinance No. 20080807-075 for CS base but restricted to only GR uses was approved on Council Member Martinez' motion, Mayor Wynn's second on a 7-0 vote.

76. C14-2008-0072 - Fort Magruder 3A - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3902 & 3904 Wadford Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: KCGR 620 LLP (A Thrower). Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.

The public hearing was closed and Ordinance No. 20080807-076 for community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning was approved on Council Member Martinez' motion, Mayor Wynn's second on a 7-0 vote.

77. C14-2008-0084 - Fort Magruder 3B - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3906 Wadford Street (East

Bouldin Creek Watershed) from family residence (SF-3) district zoning to general commercial services-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: Gladys Long. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.

The public hearing was closed and Ordinance No. 20080807-077 for CS base but restricted to only GR uses was approved on Council Member Martinez' motion, Mayor Wynn's second on a 7-0 vote.

78. C14-2008-0074 - Fort Magruder 3C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 207 Dunlap Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: James Lacey. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.

The public hearing was closed and Ordinance No. 20080807-078 for community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning was approved on Council Member Martinez' motion, Mayor Wynn's second on a 7-0 vote.

79. C14-2008-0073 - Fort Magruder 3D - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 213 Dunlap St. and 3907 A and B Reyna Street (East Bouldin Creek Watershed) from family residence (SF-3) district zoning to community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning. Applicant: Colonna Family L.P. (Mike Colonna), Janie Ybarra and Al Reyna. Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.

The public hearing was closed and Ordinance No. 20080807-079 for community commercial-mixed use-vertical mixed use building-conditional overlay-neighborhood plan (GR-MU-V-CO-NP) combining district zoning was approved on Council Member Martinez' motion, Mayor Wynn's second on a 7-0 vote.

Mayor Wynn recessed the Council Meeting at 5:51 p.m.

LIVE MUSIC

Bo Porter and his Dixie Rockits

PROCLAMATIONS

Mayor Wynn called the Council Meeting back to order at 6:27 p.m.

PUBLIC HEARING

92. Approve second/third readings of an ordinance amending Chapter 25-2 of the City Code relating to University Neighborhood Overlay (UNO) District redevelopment requirements. Recommended by Planning Commission.

This item was postponed to August 21, 2008 at the staff's request on Mayor Pro Tem McCracken's motion, Council Member Morrison's second on a 5-0 vote. Council Members Leffingwell and Martinez were off the dais.

ZONING ITEM

64. C14-2007-0042 - 1801 Nelms Drive - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known 1801 Nelms Drive (Williamson Creek Watershed) from family residence (SF-3) district zoning and family residence-historic landmark (SF-3-H) combining district zoning to multi-family residence-moderate-high density-historic landmark-conditional overlay (MF-4-H-CO) combining district zoning. First reading approved on April 24, 2008. Vote: 6-0 (McCracken off the dais). Applicant: Invest Smart Homes (Todd Rayer.) Agent: Thrower Design (Ron Thrower). City Staff: Jerry Rusthoven, 974-3207.

Ordinance No. 20080807-064 for multi-family residence-moderate-high density-historic landmark-conditional overlay (MF-4-H-CO) combining district zoning for the footprint of the Sneed House ruins and multi-family residence- moderate-high-density (MF-4) district for the remaining property was approved on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote.

ZONING DISCUSSION ITEMS CONTINUED

85. C14-2008-0043(PART) - Barton Hills Neighborhood Planning Area Vertical Mixed Use Building (V) Zoning Opt-in/Opt-Out Process - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by applying Vertical Mixed Use Building (V) zoning regulations to Tract 4B, located at 3600 South Lamar within the Barton Hills Neighborhood Planning Area (Barton Creek; West Bouldin Creek Watersheds). Regulations governing Vertical Mixed Use Building dimensional standards; allowable uses for a Vertical Mixed Use Building in office base district zoning; relaxed parking standards for commercial uses in a Vertical Mixed Use Building; and affordability requirements for Vertical Mixed Use Building developments will be considered for adoption. The Austin City Council may consider adopting all or some of these regulations, or amending the Vertical Mixed Use (VMU) overlay district to exclude Tract 4B from the overlay district. Planning Commission Recommendation: To exclude Tract 4B from the vertical mixed use overlay district. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Gregory Montes, 974-2629. A valid petition has been filed by a property owner in opposition to this rezoning request.

The public hearing was closed and Ordinance No. 20080807-085 to exclude Tract 4B from the vertical mixed use overlay district was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote.

PUBLIC HEARINGS

90. Conduct a public hearing to receive public comment on the City of Austin Fiscal Year 2008-2009 Proposed Budget.

The public hearing was closed on Council Member Shade's motion, Council Member Leffingwell's second on a 7-0 vote.

ZONING DISCUSSION ITEMS CONTINUED

86. NP-2008-0025 - Oak Hill Combined Neighborhood Plan - Conduct a public hearing and consider an ordinance amending the Austin Tomorrow Comprehensive Plan by adopting the Oak Hill Combined

Neighborhood Plan, generally bounded by Southwest Parkway to the north, Barton Creek Greenbelt to the east, FM 1826, Davis Lane, Clairmont Drive, Abilene Trail, Convict Hill Rd, and Loop 1 to the south, and Thomas Springs Road, Circle Drive and West View Road to the west. The watersheds are Williamson Creek, Slaughter Creek, and Barton Creek - Barton Springs Zone Watershed.

The public hearing was left open and this item was postponed to August 21, 2008 without objection. Direction was given to staff to 1) work with the community or possibly the plan team to identify specific blocks along the highways that are raising concern and the specific ones that are actually creating the sense that it might turn into 183; 2) conduct a build-out analysis for the different types of land uses; 3) apply the hill country roadway ordinance to 71 and 290 to help achieve the goal to control signage, limited heights, plant trees and preserve natural beauty of the environment; 4) look at the potential of dedicating some of the Barton Springs Zone Redevelopment ordinance mitigation fees to open space in Oak Hill; and 5) look at the possibility of getting GIS maps for Oak Hill.

PUBLIC HEARINGS

93. Conduct a public hearing and consider an ordinance adopting new floodplain maps and amending City Code Section 25-12-3 (Local Amendments to the Building Code), and Section 25-12-243 (Local Amendments to the Residential Code) to update the floodplain maps. Recommended by the Building and Fire Code Board.

The public hearing was closed and Ordinance No. 20080807-093 was approved on Council Member Leffingwell's motion, Council Member Cole's second on a 7-0 vote. Staff was directed to continue their study of the Carson Creek area, using existing resources, and submit changes to FEMA if warranted.

91. Conduct a public hearing and consider an ordinance amending Chapter 25-2 of the City Code relating to the applicability of development incentives for affordable housing. Recommended by Planning Commission.

The public hearing was closed and Ordinance No. 20080807-091 was approved on Council Member Morrison's motion, Council Member Martinez' second on a 7-0 vote.

Mayor Wynn adjourned the meeting at 9:09 p.m. without objection.

The minutes for the Regular meeting of August 7, 2008 were approved on this the 21st day of August 2008 on Mayor Pro Tem McCracken's motion, Council Member Cole's second on a 7-0 vote.